IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 791 of 2004 (S/S)

Murari Lal
S/o late Sri Nanhe Lal …… Petitioner

Versus

1. State of Uttaranchal
   through the Secretary
   Rural Development / Avas Vikash,
   Uttaranchal, Dehradun.
2. Chairman Nagar Panchayat,
   Shakti Garh, Udham Singh Nagar
3. E.O. Nagar Panchayat
   Shakti Garh, Udham Singh Nagar.

……. Respondents

None for the petitioner.
Mr. N.P. Sah and Mr. Harendra Belwal, learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J.

None present for the petitioner.

Learned counsel for the respondents are present.

2. By means of this writ petition, the petitioner has sought his regularization in service. The petitioner is a Sweeper on daily wages with the Nagar Panchayat, Shakti Garh, District Udham Singh Nagar.

3. In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases page 01,*** that workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed against the Constitutional Scheme of public employment, this

Court is not inclined to issue direction to regularise services of the petitions.

4) Therefore, the writ petition is dismissed. Interim order dated 09.08.2005 stands vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: November 13, 2006
H.Negi